

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to FIG. 5. This sheet, which includes FIG. 5, replaces the original sheet that included FIG. 5.

Attachment: one Replacement Sheet

REMARKS

In the Office Action that was mailed on October 21, 2004, the drawings were objected to; claims 7 and 8 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness; claims 1, 3, and 7-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,311,327 ("O'Brien"); claims 2, 11, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Brien in view of U.S. Patent No. 5,608,720 ("Biegel"); and claims 4-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Brien in view of Biegel and further in view of U.S. Patent No. 5,245,615 ("Treu"). The foregoing objections and rejections are respectfully traversed.

Claims 1-12 are pending in the subject application, of which claims 1 and 9-11 are independent claims.

Amendments to the Specification:

Line 22 on page 13 of the Specification is amended herein to correct a typographical error. Line 7 on page 15 of the Specification is amended herein to add the phrase "Returning to FIG. 5," at the beginning thereof. Line 12 on page 16 of the Specification is amended herein to add the words "at 276" between the word "information" and the period at the end of the third sentence in the paragraph. Care has been exercised to avoid the introduction of new matter.

Amendments to the Claims:

Claims 1, 9, and 10 are amended herein to recite "including" a unique tag. New claim 13 is added herein, to recite deleting the file when the program closes normally, without crashing. New claim 14 is added herein, to recite that the unwanted information is sensitive or personal information about the customer. Care has been exercised to avoid the introduction of new matter.

Support for the amendments to claims 1, 9, and 10 may be found, for example, in the

Specification at page 11, line 20 to page 12, line 19. Support for new claim 13 may be found, for example, in the Specification at page 15, lines 18-19. Support for new claim 14 may be found, for example, in the Specification at page 15, line 20 to page 16, line 9.

Amendments to the Figures:

Figure 5 is amended herein to add reference number 262. Support for the amendment to Figure 5 may be found in the Specification at page 15, lines 7-8. Care has been exercised to avoid the introduction of new matter.

Objections to the Figures:

In item 4, on page 2 of the Office Action, the examiner objected to the description of the drawings in the Specification. Line 7 on page 15 of the Specification is amended herein to reintroduce Figure 5. In item 5, on page 2 of the Office Action, the examiner objected to the drawings for failing to include reference number 262. Figure 5 is amended herein to include that reference number. In item 6, on page 3 of the Office Action, the examiner objected to the drawings for failure to include reference number 276 in the description. Line 12 on page 16 of the Specification is amended herein to include that reference number. Therefore, because all reasons for objection have been addressed, the Applicant respectfully requests that the examiner withdraw the objections to the Figures.

Rejections of the Claims:

Rejections Under 35 U.S.C. § 112:

In items 7-9 on page 3 of the Office Action, the examiner rejected claims 7 and 8 under section 112 as being indefinite. The Applicant respectfully responds that the claims are not indefinite and that adequate explanation for the same may be found in the Specification, for example, at page 15, line 20 through page 16, line 9. The Applicant respectfully requests that the

examiner withdraw the rejections under section 112.

Rejections Under 35 U.S.C. §§ 102(e) and 103(a):

Independent claims 1 and 9-11 of the subject application recite “removing each text string from the program”. The examiner, on pages 5-6, 7-8, and 10 of the Office Action, cites O’Brien as discussing the same.

Specifically, the examiner notes that O’Brien discusses removing “information from the source code 60 such as comments that may have been added by the source code’s programmer.” (O’Brien, col. 12, lines 3-5). In discussing another element of the claim on page 4 of the Office Action, the examiner notes that O’Brien discusses two types of associated tags: control tags and data tags, the former indicating a location in the source code, and the latter providing information about an event by the control tag with which it is associated. (O’Brien, col. 4, lines 5-12). However, neither the examiner nor O’Brien indicate that the data tags may be the same thing as the programmer’s comments. When O’Brien’s C preprocessor 66a removes the programmer’s comments, it does not replace the comments with anything, leaving the program devoid of any means of referring back to the comments if later debugging is required. While the location of a process may be identifiable during debugging using the control tags, any relevant comments that would have been associated with that process would have been deleted.

In contrast, in addition to removing each text string from the program, independent claims 1 and 9-11 (as amended herein) recite including/coding a unique tag to each text string. If an error occurs that is later debugged, the programmer can access the removed text strings via the unique tags, which may assist the programmer in debugging more effectively. In O’Brien, the programmer would be without his comments, and may not be able to debug as effectively.

Clearly, O’Brien does not disclose or suggest including/coding a unique tag to each text string and removing each text string from the program. In addition, the examiner did not cite to Treu or Biegel as discussing the same. Therefore, independent claims 1 and 9-11 are patentably distinguishable over the cited references, taken alone or in combination. Dependent claims 2-8

and 12 are allowable based in part on their dependency from one of independent claims 1 and 9-11. The Applicant respectfully requests that the examiner withdraw the rejections thereto.

Lack Of Motivation To Combine The References:

MPEP § 2142 states that "[w]hen the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the examiner to explain why the combination of the teachings is proper." The examiner is required to present actual evidence and make particular findings related to the motivation to combine the teachings of the references. In re Kotzab, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); In re Dembiczak, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not "evidence." Dembiczak, 50 USPQ2d at 1617. "The factual inquiry whether to combine the references must be thorough and searching." In re Lee, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002) (citing McGinley v. Franklin Sports, Inc., 60 USPQ2d 1001, 1008 (Fed. Cir. 2001)). The factual inquiry must be based on objective evidence of record, and cannot be based on subjective belief and unknown authority. Id. at 1433-34. The examiner must explain the reasons that one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious. In re Rouffet, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998).

The Office Action has not presented any evidence why any of O'Brien, Biegel, and Treu would have been combined. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. MPEP § 2143.01. Specifically, there must be a suggestion or motivation in the references to make the combination or modification. Id. The sole support in the Office Action for such a combination is that it would aid in system debugging, store predetermined error log information at predetermined locations, and capture the state of the processor while a crash occurred. (Office Action, p. 10, 12). The Office Action cannot rely on the benefit of the combination without first supporting the motivation to make the combination. Such motivation does not appear anywhere in any of the references, and the Office Action has not presented any